

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because of the use of legal term "means". Correction is required. See MPEP § 608.01(b).

Drawings

The drawings are objected to because Figs. 8, 9, and 10 show multiple views in the same Figure Number. Each view or drawing should have a distinct Figure Number. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The brief description of Fig 8 does not appear to be correct – Fig 8 is not an overall view, but appears to be a perspective view of one part and a top view of the same part.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim Clarifications

1. Regarding 35 USC 112 paragraph 6. Examiner notes from Chapter 2100 of the current MPEP, section 2181:

A claim limitation will be interpreted to invoke 35 U.S.C. 112, sixth paragraph if it meets the following 3-prong analysis:

- (A) *the claim limitations must use the phrase "means for " or "step for ";*
- (B) *the "means for " or "step for " must be modified by functional language; and*
- (C) *the phrase "means for " or "step for " must not be modified by sufficient structure, material or acts for achieving the specified function.*

With respect to the first prong of this analysis, a claim element that does not include the phrase "means for" or "step for" will not be considered to invoke 35 U.S.C. 112, sixth paragraph. If an applicant wishes to have the claim limitation treated under 35

U.S.C. 112, sixth paragraph, applicant must either: (A) amend the claim to include the phrase "means for" or "step for" in accordance with these guidelines; or (B) show that even though the phrase "means for" or "step for" is not used, the claim limitation is written as a function to be performed and does not recite sufficient structure, material, or acts which would preclude application of 35 U.S.C. 112, sixth paragraph.

Since examiner notes that structure is included in the "means for" phrasing, examiner is considering the claims to include any structure capable of performing the function.

Appropriate clarification is required.

Claim Objections

Claim 6 is objected to as it is a multiple dependent claim, but applicant has stated that all multiple dependent claims have been amended to avoid multiple dependencies.

Note that the IDS is not being considered and will be considered with the next office action.

Since the extra fees would be significant, as numerous claims depend from the multiple dependent claim, examiner is sending out this action so that applicant can revise claim 6 to eliminate multiple dependencies and revise the claims for proper idiomatic and standard English prior to an examination on the merits.

Note that the next action will not be made final as no art rejection is being provided to allow applicant to amend or take whatever actions are appropriate.

Conclusion

The examiner apologizes for the delay in handling this application, and thus has issued this action to give applicant an opportunity to correct issues as noted above.

Art Unit: 3634

Any inquiry concerning this communication should be directed to KATHERINE
W. MITCHELL at telephone number (571)272-7069.

/KATHERINE W MITCHELL/
Supervisory Patent Examiner, Art Unit 3634

KATHERINE W MITCHELL
SPE
Art Unit 3634